

# **Credit River Township**

## **Meeting Minutes**

### **August 20, 2007**

#### **Budget Discussion**

The Town Board met prior to the regular meeting at 6:00 pm to discuss the proposed budget for 2008. Treasurer Holly Batton presented the following information:

- 1) Copies of 2006 Expenditures
- 2) Copies of 2007 Expenditures to date
- 3) A Summary of the Historical Levy Rates
- 4) A copy of estimated Incorporation Costs

Road and Bridge Account.

It was noted that the Township must levy \$374,646.00 for 2008 in order to qualify for the gas tax.

The Board suggested increasing the snow plowing budget to \$40,000.

General Fund

Elections – Increase to \$8,000  
Assessing Fees - increase to \$25000  
Incorporation – Check with Ruppe

Fire Fund

Prior Lake Annual Contract Letter calls for \$181,647.00.

#### **Regular Meeting**

##### **Call to Order**

Chairman Dan Casey called the general meeting to order at 7:05 pm.

##### **Members Present:**

Chairman Dan Casey, Supervisor Leroy Schommer, Supervisor Bruce Nilsen

##### **Others Present:**

Township Clerk Jerry Maas, Township Treasurer Holly Batton, Township Engineer Jeff Elliott, Township Attorney Bob Ruppe

##### **Meeting Minutes**

Chairman Dan Casey asked Clerk Jerry Maas to summarize the minutes from August 6, 2007.

Supervisor Bruce Nilsen made a motion to approve the minutes as read. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

##### **Treasurers Report**

- 1) Financial Report for July 2007

Treasurer Holly Batton presented the financial report for the month of July. Supervisor Leroy Schommer made a motion to accept the Treasurers report as presented. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

2) Discussion of Township Escrow Accounts

Treasurer Holly Batton presented a list of the escrow account status.

Attorney Bob Ruppe asked Clerk Maas to check with the county as to a deadline for the Loehr Ridge because the account is in a negative position and township policy dictates that the agenda item requested tonight can not be heard under these circumstances.

In the case of Kody Place, Supervisor Nilsen asked how many times we can bill before we certify to taxes. Attorney Ruppe suggested that he and Treasurer Batton work on this tomorrow.

### **Sheriff's Report**

No report this evening.

### **Resident's Group Report**

No report this evening.

### **Open Forum**

- 1) Treasurer Holly Batton noted that the weeds in the ballpark at Scotts View are getting long and wondered if they might be sprayed.

The board will discuss later this evening

### **Agenda Items**

#### **1) Discussion of Judicial Road Improvement Project**

Engineer Jeff Elliott summarized the status of this road repair project to date.

He noted that the road is jointly owned by the City of Lakeville and Credit River Township and that the road was last re-surfaced in 1987 and has been maintained under a Joint Agreement between the two government entities since.

In 2005, Engineer Elliott compiled an inventory of Township roads and prepared a rating system to quantify the relative condition of all of the township roads. He pointed out that at that time, Judicial Road was rated a 46 (Very low) with only 5 roads in the Township being rated lower.

The intent of this project is not to elevate the road to current township road standards since this would be cost prohibitive. The intent is to correct some major deficiencies and extend the life of the road a bit longer.

If the project is to go forward, the plans are to seek bids over the winter, have the assessment hearings in the spring and to complete construction by early summer of 2008.

After Engineer Elliott completed his presentation, Chairman Dan Casey called for resident comments asking that care be taken to avoid repetition.

Resident David Beehler noted that legally the Township is unable to assess for projects that benefit the public at large or if the property being assessed does not benefit from a corresponding increase in value. It would be his contention that the proposed assessed properties would not be increased in value.

Resident Al Meehan noted that he had his son count cars one afternoon and he counted over 100 cars in a short period using the road.

Resident Ward Larson noted that he has lived on Judicial since it was a gravel road and he feels that compromises were made at the time the road was originally surfaced and that the same approach is being taken at this time.

Resident Al Aspengren noted that he feels that trucks damaged the road during the construction of the County Road 21 project until the City of Lakeville posted a tonnage limit.

Resident John Armstrong noted that many residents noticed trucks using the road during the construction of County Road 21. Before that project "the road was beautiful". He thinks that simply seal-coating now would work for 5 years. He contends that damage to Judicial Road should have been anticipated as a part of the cost of reconstruction of county road 21. Mr. Armstrong feels that we should take the same approach that Lakeville is taking on the east side and spread the cost among all of the residents.

Resident Richard Robizinski noted that people are speeding on this road and that signs need to be installed for speed limit.

Resident Charlinda Shabinger has multiple parcels totaling 40 acres and feels it unfair that she should be assessed multiple assessments.

Resident Howard Jones noted that he feels more people benefit than shown. He suggested that a survey be conducted to determine who uses the road.

Resident Mark Gulbrandson noted that he walks the road a lot and observes many people who are not familiar seem to use the road.

Resident Wally Hilgenberg noted that he has lived on the road since 1976. He noted that he was literally sitting at the end of his driveway during the County Road 21 construction and observed that overloaded trucks were damaging the road and called Supervisor Casey and Engineer Elliott while he was watching.

He also noted that the proposed assessments do not take into account the 195<sup>th</sup> street sub-division. It is his feeling that many residents are coming from the south to use 185<sup>th</sup> Street.

Resident Randy Berg noted that everyone feels the project needs to be done, but that fairness should prevail.

Resident Bob Peterson noted that everyone saw the trucks damaging the road.

Resident Bryan Reichel asked what has been done to recover funds from those who damaged the road.

Resident Greg Brown noted that as a non-resident of the area he is not sure that he is interested in paying for the cost of this road.

Resident Jim Dill asked who pays for county roads and what's different about Judicial Road.

Resident Al Aspengren asked that we 1) put a traffic count out and 2) Attorney Bob Ruppe contact Contractors who used the road during construction and 3) Engineer Elliott attempt to review the condition of road over time

Resident Dave Cuthill noted that future construction plans for County Road 70 should be an opportunity to make sure they don't use the road; Engineer Elliott indicated that when County Road 70 is constructed, the Township is in a better position to monitor use of Judicial Road.

Chairman Dan Casey asked if there were further comments. Noting that there were none, he asked Engineer Elliott if he had any further comments.

Engineer Jeff Elliott noted that the road is 20 years old and based on his experience, this is well beyond the expected life of a road and that damage by the trucks was potentially the last straw.

**2) Don Loehr – Loehr Development – Request Preliminary Plat Approval – Loehr Ridge**

No one appeared and the issue was not discussed.

**3) Continue Discussion of Liberty Creek Project – Requesting Final Plat / Developer's Agreement**

Attorney Jim Walston noted that the Planning Commission had recommended denial of the project based on the lack of certain plans.

At the request of the applicant, the Board authorized Attorney Ruppe to work with the developer and the County on the wetland banking request by the developer as long as it does not impede on any township facilities including but not limited to storm water ponds.

On the subject of weed control, the Board denied the request of the developer for a change in the weed control paragraph 12aa of the developers' agreement opting to continue to require weeds on the property are kept at 12 inches or less in length.

The board requests a barricade on Sundance Trail at the easterly terminus adjacent to the Territory and also a cul-de-sac on Meares Court at the easterly terminus adjacent to the Territory.

Supervisor Dan Casey made a motion to approve the Developer's Agreement consistent with the board's recommendations and contingent upon attorney review. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

Supervisor Nilsen asked how the Township could withhold building permits in cases where all of the lots are sold. Attorney Ruppe noted that this agreement is in fact recorded with the property and follows to assessors and assigns and therefore building permits could be denied in cases where the developer had failed to meet the requirements of the agreement...

The Developer presented the engineering documents relating to the turn lane and bypass lane on Texas Ave. that the Board had been seeking. Chairman Casey noted that he wanted to be assured that the developer would be bound to acquire the land be install these turn lanes.

Attorney Ruppe noted that Section AE of the developer's agreement required the acquisition of the necessary land and that the developer will be required to establish an escrow account with the county to insure that this would take place. The Township's concerns' relating to the bypass and turn lanes have initially been met by the developer. The Township county and developer staff shall work together in finalizing the bypass and turn lane plans as outlined in Section 12 AE of the Developers Agreement.

Attorney Walston asked that the board advise county staff that they are recommending that they accept the plans and specs as required.

Supervisor Bruce Nilsen made a motion to recommend approval of the project based on the fact that the Township's concerns for Bypass and Turn-lane have been initially met by the developer as addressed in the developer's agreement.

Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

#### **4) Engineer's Report**

##### **a) Report on Cole's Landing Project**

Engineer Jeff Elliott reported that the project is complete.

Supervisor made a motion to close the project and return any remaining escrow funds. Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 – 0.

##### **b) Loehr Ridge**

The developer did not appear for the previously scheduled agenda item, but had previously sent plans for approval prior to appearing before the County Board on August 28<sup>th</sup>.

After a review of the revised plans submitted, Supervisor Leroy Schommer made a motion to approve the request subject to conditions attached. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 2 - 0 (Supervisor Casey abstaining).

##### **c) Storm Sewer / Ponds Mapping**

Engineer Elliott gave a short presentation regarding the MS4/NPDES requirements for a stormwater pond map. The presentation included an exhibit showing an example of what Scott County currently has in their GIS mapping system and included the previously obtained culvert information.

In summary, Engineer Elliott is proposing to map as much of the Township ponds as possible this Fall using a combination of GPS, existing as-built information and the available Scott County GIS information. For this winter, Engineer Elliott is proposing to prepare a preliminary Stormwater Map at a cost not to exceed \$5,000. The Town Board authorized Engineer Elliott to proceed at a cost not to exceed \$5,000.

##### **d) Project Status**

Engineer Elliott discussed all of the current active projects and their current status.

#### **5) Other Business**

##### **a) Approve appointment of election judges for School Board Election**

Clerk Jerry Maas presented a list of proposed election judges for the upcoming school board primary election on September 11<sup>th</sup>. Supervisor Leroy Schommer made a motion to approve the list as presented. Supervisor Bruce Nilsen offered a second, all in favor, motion carried 3 – 0.

##### **b) Schedule meeting with Whitewood Residents**

The City of Prior Lake is proposing to annex 4 parcels along 170<sup>th</sup> Street for the purpose of eventually enlarging their business park. The Board had previously met with the property owners involved and now would like to discuss the proposal with the adjoining neighbors. It was proposed to set up a meeting on Sept 6<sup>th</sup> at 7:00 pm at the Town Hall.

##### **c) Bounced Check/ Policy**

Supervisor Bruce Nilsen made a motion that an NSF Policy be adopted that will specify that a charge is \$30/instance plus bank charges and collection fees associated be assessed for all returned checks. Supervisor Dan Casey offered a second, all in favor, motion carried 3 - 0

**d) Discuss Snow Removal Plans for 2007/08 Winter Season**

The Board asked Attorney Bob Ruppe and Engineer Jeff Elliott to prepare a Request for Proposal (RFP) to be sent out in search of potential contractors.

**Review and Pay Bills**

The Town Board approved and paid the following claims:

8/10/2007		Anchor Bank	July EFTPS Deposit	\$	1,187.19
8/20/2007	3936	Integra Telecom	Phone Services	\$	357.26
8/20/2007	3937	Jacque Whitford Ecocheck	July Sewer Charges	\$	6,428.85
8/20/2007	3938	Scott Soil & Water Cons.	July Sediment & Erosion Insp	\$	3,024.00

**Adjourn**

There being no further business before the Town Board, Supervisor Bruce Nilsen made a motion to adjourn, Supervisor Leroy Schommer offered a second, all in favor, motion carried 3 - 0. The meeting adjourned at 11:55 pm.

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Submitted By: (s/) Jerald R. Maas  
Township Clerk  
Credit River Township

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Approved By: (s/) Dan Casey  
Chairman Board of Supervisors  
Credit River Township